

Claim 40 is vague and indefinite because it is unclear in the limitation, "in a database coupled to a central processor, associating the intermediary account with an end-user's prepaid account maintained by a telecommunication vendor", how is the database related to the intermediary account, to end-user, or the telecommunication vendor. It is also unclear if the payment processor is a separate or whole entity from the intermediary account or how is the intermediary account associated with the end-user's prepaid account.

Office Action dated October 23, 2002.

Although Applicants respectfully disagree that claim 40 was vague and indefinite as previously submitted, Applicants have amended claim 40 to more clearly point out the subject matter which Applicants regard as their invention. Amended claim 40, now more clearly recites that the account identifier of the intermediary account is associated with an end-user's prepaid account and that this association is stored in a database that is accessible by the payment processor.

In claim 40, an account identifier is used to reference an intermediary account. The intermediary account may be maintained, for example, on the central payment processor. (Resnick, page 7, lines 29-30). The central payment processor can be conveniently implemented, for example, on a suitable general purpose digital computer. (Resnick, page 6, lines 28-30).

The end-user account is typically a different account that is maintained, for example, at the carrier's prepaid platform. (Resnick, page 7-8, lines 30-2). Claim 40 recites that the intermediary account and the end-user's prepaid account are associated. Although the association of the intermediary account and the end-user's prepaid account may be performed in any number of ways, Figure 3 of the present invention illustrates one exemplary embodiment of this process. For example, page 10 of the specification describes that:

Figure 3 is a flow chart illustrating methods for establishing an intermediary account and providing certain customer care services. To begin, a

payment card user 22 contacts a payment account assistance module 78, which can be implemented as apart of customer care services software 70 on the payment processor system 40 or on another platform that can communicate with the processor. The account assistance software can be implemented, for example, using interactive voice recognition (IVR) technology, which is commercially available. This customer service application 78 is accessed by the card user in order to active his or her account, by associating the intermediary account (card number) with an end-user account that is maintained by a payment customer such as a wireless prepaid platform 112. The card user accesses the customer service application 78 and is prompted to identify the customer (carrier) and/or the end-user account number. (The user account number often can be used to identify the carrier) The customer service application 70 communicates with the prepaid platform 112 to confirm or validate the account number provided by the card user. Assuming the account information is valid, the customer care services 70 the initiates account activation on the processor 40. Specifically, an account activation operation has the effect of associating the card number (the intermediary account identifier) with a selected prepaid platform (or other vendor) end user account number.

Resnick, page 10, lines 9-22 (emphasis added).

Amended claim 40 also recites that the association of the intermediary account with an end-user's account is stored in a database coupled to a central payment processor. Continuing with the illustrative example described above, after account activation, the association of the intermediary account and the end-user account "is reflected in an intermediary account database maintained by the payment processor 40." (Resnick, page 10, lines 2). It should be appreciated, however, that the particular details surrounding the association of the intermediary account with the end-user account may vary depending upon the particular implementation of the present invention. Moreover, the example described above is but just one of many illustrative embodiments that may be used with the present invention.

Given the amendment to claim 40 and the above remarks, Applicants respectfully submit that independent claim 40 should no longer be considered vague and indefinite. Therefore, Applicants respectfully requests that the rejection of independent claim 40 and dependent claims 41-47 and 59-65 depending thereon be withdrawn.

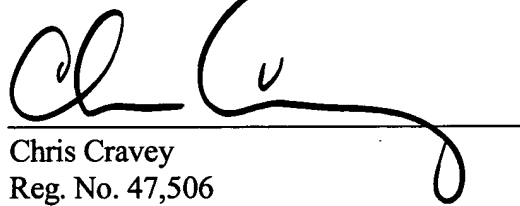
III. CONCLUSION

Applicant believes this reply to be fully responsive to all outstanding issues and places this application in condition for allowance. Reconsideration of the application is respectfully requested. No fees are believed to be required. However, if any fees are required for any reason relating to the enclosed materials the Commissioner is authorized to deduct said fees from the Vinson & Elkins L.L.P. Deposit Account No. 22-0365.

The Examiner is invited to contact the undersigned attorney at 713-758-2572 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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Marked Up Versions Pursuant to Rule 121

In the claims:

40. (Third amendment) A method for effecting payment for telephone services comprising:

establishing an intermediary account having a corresponding account identifier;

[in a database coupled to a central payment processor,] associating the [intermediary] account identifier of the intermediary account with an end-user's prepaid account maintained by a telecommunication vendor and storing the association in a database coupled to a central payment processor;

conducting a transaction comprising receiving a payment from the end-user at a point-of-sale together with the account identifier for loading value into the end-user's prepaid account;

electronically communicating data indicative of the transaction from the point-of-sale to the central payment processor;

in the central payment processor, validating the transaction data and transmitting a response to the point-of-sale;

in the central payment processor, if the validating step results in approval of the transaction, sending a message to the telecommunication vendor for loading value into the end-user's associated prepaid account responsive to the payment transaction.

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